

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Pedersen Docket No.: 2005IN02  
Application No.: 10/533,696 Group Art Unit: To be assigned  
Filing Date: May 3, 2005 Examiner: To be assigned  
Title: Adaptive Broadband Platforms And Methods Of Operation

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Commissioner:

**PETITION TO MAKE SPECIAL FOR ACCELERATED EXAMINATION**  
**UNDER 37 CFR §1.102(d) AND MPEP §708.02 VIII**

Applicant asks that examination of the above captioned application be accelerated on the basis that Applicant has met all requirements for a grant of special status under MPEP §708.02 VIII, Eighth Edition Rev. 3, August 2005. This petition is filed **prior to** the effective date August 26, 2006, of revised requirements published in 71 Fed. Reg. 36323.

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### Claims Drawn To A Single Invention

This petition is accompanied by a preliminary amendment setting forth amended claims for examination.

Applicant will make an election without traverse if the Examiner determines that the pending claims are not drawn to a single invention. Under 35 U.S.C. §121, as explained in MPEP §803, an application may properly be restricted to one of two or more claimed inventions only when: (a) the claimed inventions are independent or distinct; *and* (b) there is a serious burden on the Examiner if the claims are not restricted. For a proper restriction, the Examiner must explain by example how the alleged groups of inventions are patentable over each other; and show by appropriate explanation separate proper classification, separate status in the art, and contrast the necessary different fields of search for each invention (MPEP 808.02).

### Search

A pre-examination search was made. The pre-examination search was directed to the invention as claimed. Each class/subclass in the field of search is identified below. The US patents, EP patents, and WO publications collections provided at [www.delphion.com](http://www.delphion.com) were searched. Keyword search logic was employed to obtain titles of documents. Only those documents with Derwent titles reasonably related to the claimed invention were reviewed. Only references that disclosed elements claimed were considered part of the search results. In addition, non-patent prior art of which the Applicant was aware was searched, but nothing material to examination was found.

Class	Title	Sub-Classes	Keywords
all	all	all	“ad hoc network” <in> description
all	all	all	“wireless mesh network” <in> description

Over 250 search hits were considered.

### Copies Of References

Search results are listed on the PTO Form 1449 filed herewith with copies only as requirement under 37 CFR §1.98(a)(2).

### Discussion Of References

The claimed subject matter is patentable over each reference individually or in combination with other art of record as pointed out below. As to each document, Applicant does not admit that the document is prior art or that the document is material to examination. Applicant does not waive the right *inter alia* to assert in response to an Examiner's rejection that any or all of the following documents are not a proper basis for rejection of the pending claims.

None of the documents discussed below teach or suggest a subscriber platform having the structure or able to perform the methods claimed. A subscriber platform as further described in the specification includes a platform that is operated by a subscriber (e.g., pedestrian) as opposed to being used by a network maintenance operator for the benefit of subscribers (e.g., a cell phone hub or tower). None of the documents discussed below teach or suggest a tiling pattern, a set of sector allocation patterns associated with the selected tiling pattern, or communicating with other subscriber platforms in accordance with a set of channels associated with a sector allocation pattern.

US patent 5,657,374 to *Russell* discloses at col. 30 line 21 et seq. sectorization; however sector channel assignments are not part of a sector allocation pattern as claimed by Applicant.

US patent 6,470,183 to *Herrig* discloses channel sets; however, *inter alia*, the channel sets are not employed by a subscriber platform and the channels.

US patent 6,816,115 to *Redi* discloses antenna selection in an ad-hoc wireless network relative to longitude and latitude location of the neighbor (Abstract). However, the set of antenna directions used by the system is not taught or suggested to be part of a tiling pattern or sector allocation pattern.

US patent 6,850,502 to *Kagan* discloses a join process for a wireless mesh network. However, the channel and spatial sector is defined by a member of the network and prescribed to a node invited to join. Hence, no tiling patterns are stored in the subscriber platform from which selection is made.

US patent 6,912,204 to *Kossi* discloses dynamically selecting frequency; however the selection is based on quality of service and not on a stored tiling pattern or sector allocation pattern.

US patent 6,980,524 to *Lu* discloses a network based on zones; however the zones do not correspond to a sector allocation pattern or a tiling pattern.

US patent 7,031,293 to *Srikrishna* discloses channel allocations; however, *Srikrishna* teaches away from directional links (col. 2 lines 30-44) and so teaches away from sector allocation patters as claimed by Applicant.

### Conclusion

Applicant believes all requirements for granting special status are met. The case is in condition for allowance. Applicant respectfully requests accelerated examination and allowance of the pending claims.

The Examiner is invited to telephone the undersigned at the telephone number listed below if it would in any way advance prosecution of this case.

Respectfully submitted,

Date: August 25, 2006

  
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